

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

[PROPOSED] ORDER REGARDING ePLUS's MOTION IN LIMINE NO. 7

Pursuant to Rules 402 and 702 of the Federal Rules of Evidence, Plaintiff *ePlus* Inc. (“*ePlus*”) has moved for an Order of the Court to exclude from evidence certain testimony and other evidence from Lawson Software, Inc.’s proffered damages expert, Philip Green.. Upon consideration of the arguments of the parties, *ePlus*’s motion is hereby GRANTED. Mr. Green is precluded from offering any expert opinion, testimony or other evidence concerning:

- opinions about Lawson’s “technology acquisitions” agreements and Lawson’s software license and software resale agreements, neither of which are related to the patents-in-suit;
 - opinions about alleged non-infringing alternatives to the accused systems that were supposedly available at the time of the hypothetical negotiation between the parties; and
 - opinions comparing the patents-in-suit to older modes or devices that were purportedly used for providing similar functionality to that provided by the patented invention.

It is so ORDERED.

Respectfully submitted,

June __, 2010

UNITED STATES DISTRICT JUDGE